

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS MEETING
Thursday June 8, 2023

The Board of Commissioners of Lower Pottsgrove Township held their regularly scheduled meeting on Thursday, June 8, 2023, at the Lower Pottsgrove Township Building, located at 2199 Buchert Road, Pottstown, Pennsylvania.

Board of Commissioners: Raymond W. Lopez, Earl E. Swavely, Robert Mohollen, and Michael McGroarty were present. William Keohane attended via telephone due to a positive COVID test.

Edward C. Wagner: Manager, Richard Bell: Police Chief, Lew Babel: Fire Marshal, Nick Perilli: Township Engineer, Jamie Ottaviano: Solicitor and Nicole Varady: Secretary were also present.

The regularly scheduled meeting was called to order by President Raymond W. Lopez at 6:30 p.m. and the Pledge of Allegiance was recited.

Commissioner Lopez stated that the meeting will be recorded, and he asked any speakers to give their names and address for public comments.

Solicitor Jamie Ottaviano announced that prior to tonight's meeting, at 6:00 P.M., the Board held an Executive Session to discuss a real estate matter. The purpose was informative in nature and no formal decisions were made.

APPROVAL OF MINUTES:

Commissioner McGroarty made the motion to approve the minutes of the May 18, 2023 Board of Commissioners meeting. Commissioner Keohane seconded the motion, and it was unanimously approved. The vote was 5-0 in favor.

REPORT FROM THE TOWNSHIP MANAGER:

Mr. Wagner announced that Comcast will hook up the cable at 49 Pebble Beach Lane tomorrow, June 9, between 12:00 P.M. and 2:00 P.M. Once that is completed, the cameras will be hooked up. The Township received notice from Revize this week regarding the new website that the Migration Team will begin to migrate content according to the approved Site Map from Nicole Varady and Ashlea Bullock. The process should take about 2 weeks to complete. The ongoing trash can issue at Sanatoga Crossing has been resolved. To recap, the trash receptacles were in front of the properties which is a violation of the Gateway Mixed-Use District. The receptacles were moved to the rear of the properties, but residents complained they had to wheel them across other properties to move them. The builder proposed to put in corals but two thirds (2/3) of the HOA voted against them and would prefer the plan of keeping them in the rear, so they reverted to that.

COMMENTS BY VISITORS:

Tony Doyle 1745 Kepler Road asked Chief Bell if the Police Department has any portable speed readers. He voiced concerns about drivers speeding on Kepler Road. Chief Bell confirmed the Township does have them and noted his concerns. Mr. Doyle asked for an update on a new Township Building. Commissioner Lopez advised that there will be a decision at tonight's meeting regarding whether to move forward or not. Mr. Doyle asked if tax money was set aside for the building and if so, how much. Commissioner Lopez assured him that it is in a fund for the building. Mr. Wagner invited Mr. Doyle to stop in the Township Building during business hours so he could look up the figures he was asking for. Mr. Doyle also wanted confirmation that the

Royal Farms would be going in on Armand Hammer Boulevard. Mr. Wagner confirmed. Mr. Doyle voiced his concerns regarding the traffic that will come along with it. Mr. Doyle also explained that there are hundreds of trees near his home on Kepler Road that he believes were affected by lantern flies that require attention. He also went on to explain that he wanted the vegetation cleared off the communication lines. Mr. Wagner explained that PECO and MetEd have been doing an excellent job trimming trees and clearing lines in the Township. Joe Zlomek added that the Sanatoga Post has published two articles in the last few months referencing the cleanup of the communication cables and other lines.

Julio Algarin 63 Pine Hurst Drive thanked Mr. Wagner and Chief Bell for keeping the residents informed. Commissioner Lopez explained that Mr. Algarin is talking about incidents of groups of youth coming through his neighborhood in the Pine Hurst Drive and Pebble Beach Lane areas causing damage to properties. Mr. Algarin recognized that the Township has already added the light post so he is not sure what else can be done.

Philip Mount 58 Pine Hurst Drive added that the groups kicking in doors are participating in a Tik-Tok challenge where the individuals film how many kicks it takes to kick in a door. He informed the Board that he has female neighbors who now take mase with them when they walk for safety.

Diane Ferko 22 Pebble Beach Lane added that the groups are not small. She stated that on the same day that her door was kicked in, her house was egged at around 3:00 A.M.

Commissioner Lopez asked Chief Bell for insight. Chief Bell clarified misinformation that had gotten out. He assured residents that individuals will face more serious charges than disorderly conduct for the act of kicking in doors. He asked everyone to call him if they have questions or concerns. Mr. Algarin pointed out how responsive the Lower Pottsgrove Police Department was on the night of the incidents. Ms. Ferko agreed and stated that the initial response time was very fast. She explained that they continued to patrol the area throughout the night, even getting out on foot. Chief Bell explained that the camera being installed will go directly to the Police Department and they will have the capability to zoom in and rewind. He will also talk to the officers about increasing patrols in that area. Commissioner Lopez thanked the residents for coming and bringing the issue to their attention. Mr. Wagner assured them he would keep them informed.

Tom Troutman 2469 E. High St announced that the Lower Pottsgrove Historical Society will host the Strawberry Festival Saturday June 10 and he invited everyone to attend.

REPORTS OF OFFICIALS AND COMMISSIONS:

Police:

Chief Bell presented the Police report for the month of May 2023.

CALLS FOR SERVICE	1187
Directed Patrols / Extra Patrols	460
ASSISTS:	
Given by Lower Pottsgrove PD	7
Received by Lower Pottsgrove PD	1
TRAFFIC ENFORCEMENT:	
Violations Indicated	191

Traffic Citations Issued	157
DUI Arrests	2
Accident Investigations	30
CRIMINAL INVESTIGATIONS: Violations Indicate	93
Adults Arrested	25
Juveniles Handled	0
Youth Aid Panel/Reprimand Release	1
Juvenile Court	0
Adult Court/Citations (Juvenile)	0
MH/Involuntary Commitment	2

Chief Bell announced that the Lower Pottsgrove Police Department recently completed its third accreditation through the Pennsylvania Chiefs of Police Association. He held up the plaque and explained that the department met all the standards that were required by the Association to be one of one hundred thirty-nine (139) Departments in Pennsylvania to have that standard set. Sergeant Scott Weidenhammer completed his master's degree program. Patrolman Scott Burnick successfully completed the drug recognition expert school and is now a certified DRE. He can assist in roadside testing for DUI drivers suspected of being under the influence of illicit drugs, prescription drugs or narcotics. Chief Bell provided an update regarding the home invasion robbery off High Street several months ago, stating that after much hard work, detectives were able to name a suspect and get an arrest warrant. With the assistance of the US Marshalls and the Orlando Florida Police Department, the suspect was captured. Two weeks ago, he was extradited back to Pennsylvania. He has been arraigned and is currently in Montgomery County prison on \$500,000 cash bail. The preliminary hearing is scheduled for later this month. Commissioner Lopez stated that the Board is proud of the work of the Police Department and the leadership of Chief Bell. Commissioner Swavely and Chief Bell discussed how many people believe it is safe to drive while on prescription medication; however, many medications state right on the bottle, not to operate heavy machinery. Chief Bell added that as of today, the Montgomery County District Attorney's Office put out a press release that Montgomery County is participating in the Blue Envelope Program. The program is for drivers with special needs. Blue envelopes can be obtained at the Lower Pottsgrove Police Department. The envelope has a spot to check off the type of special need so that an officer is aware, plus it provides instructions to the driver regarding what to do if pulled over. All documents can be kept in the envelope. Joe Zlomek asked if this program is in addition to the Yellow Dot program. Chief Bell confirmed it is.

Emergency Management:

Commissioner Lopez reported there were no Emergency Operations Center (EOC) activations for the month of May 2023. On May 4th, Amy Henderson, Assistant Emergency Management Coordinator, attended the virtual meeting provided by PEMA titled "Substantial Improvements/Substantial Damages Toolkit Training for Communities." On May 17th, Ms. Henderson and Commissioner Lopez attended the monthly Emergency Management Training Meeting where speakers from Team Rubicon, a veteran-led humanitarian organization that serves global communities before, during and after disaster and crises, discussed that their mission is providing disaster relief. On May 22nd, Ms. Henderson and Commissioner Lopez reviewed the in-house Emergency Management stored files, eliminating obsolete files and organizing active files. On May 23rd, Ms. Henderson attended the NextGen 911 training class. On June 1st, Commissioner Lopez met with Nicole Varady and Ms. Henderson to discuss their roles and duties for the upcoming Limerick Exercise. The Emergency Management Facebook page is getting positive feedback regarding the content provided to the public. Commissioner Lopez thanked Nicole Varady for her continued efforts in keeping it up to date. Preparations for

the September Limerick Exercise continue. Commissioner Keohane inquired about the date of the upcoming Exercise. Commissioner Lopez stated it will be on September 26, 2023.

Fire Marshal:

Fire Marshal Lew Babel presented the May 2023 report.

Station	Total Calls	Total Hrs. of Service	Total Personnel Hrs.	Total Personnel Training Hrs.	Total Fundraising Hrs.
Sanatoga (Station 58)	30	19 hrs. 09 min	87 hrs. 00 mins	0 hrs. 0 mins	43 hrs. 25 mins
Ringling Hill (Station 59)	27	21 hrs. 11 mins	76 hrs. 19 mins	0 hrs. 0 mins	34 hrs. 45 mins

Commissioner Mohollen reviewed that there was a house fire on N. Valley Road on May 31, 2023. He praised the efforts of the fire companies. It was a bedroom fire and although it spread to the attic, they were able to save the house. The assistant chief from Sanatoga Fire Company was on the line in the house. By him being one of the first ones there and being able to jump on a line, really saved the house. He thanked Limerick Fire Company, New Hanover Fire Company, and Pottstown's North End Fire Company for assisting.

Highway Public Works Department:

Mr. Wagner presented the May 2023 report prepared by John Fogel which includes repainting of the curbing at the Administration Building, the block building at Upper Sanatoga Park and the fuel tank. They have been working on cleaning storm drains, patching potholes as well as cutting intersections, roadsides, mowing the parks, cutting trees along Potter Drive, and trimming trees on Heather Lane and the historical property. The Public Works Department has also been working on the basketball court at Gerald Richards Park and they washed the retaining walls at Lower Sanatoga Park in preparation for the Summer Concert Series. The manhole casting on Potter Drive has also been replaced. PennDOT was out and did the intersection improvements at High Street and Sanatoga Road. Mr. Zlomek stated it looks good, although they did not clear the vegetation.

Engineer:

Nick Perilli of McCarthy Engineering Associates provided a written Engineer's Report for the month of May 2023 updating the Board on various ongoing projects in the Township. He pointed out that next week on June 15, Mr. Wagner, Mr. Fogel, and himself will be meeting with the County for the 2023 Transportation Grant. They hope to apply for the N. Adams Street bridge rehabilitation project. There were no questions.

Solicitor:

Solicitor Ottaviano provided a written report with a synopsis of all projects his office worked on for the month of May. Due to the confidential and privileged information he will answer any questions during the Executive Session if necessary.

Parks and Recreation:

Mr. Wagner announced that the flyers are out for the Summer Concert Series which begins on June 25 at 6:00 P.M. at the Sanatoga Bandshell.

Planning Commission:

Mr. Wagner announced they will meet June 14 at 6:30 P.M. at which time Coventry Christian will make a presentation to build an addition of 11,250 square feet to include a playground, a soccer and track field and 167 parking spaces.

Lower Pottsgrove Township Authority:

Mr. Wagner reported that due to the Sanatoga Pump Station being severely washed out, McCarthy took the lead on a maintenance project to have it relined. \$165,000 was budgeted for the Stream Bank Project and it came in at just over \$100,000, a large savings for the Township. The project took 4 days and Mr. Wagner praised Nick Perilli and his team for their great job with the design. Mr. Wagner reported that the Authority will be awarding a sewer main replacement project of 1,053 linear feet on Hilltop Road, between Buchert Road and Cedar Hill Road at a cost of \$367,775 to Joao & Bradley Construction of Bethlehem. The project should take about two (2) weeks. The Township applied for an H2O Grant to complete the second phase of the project for which we should hear back sometime in June or July. Senator Pennycuick and Representative Ciresi both wrote letters of support.

CORRESPONDENCE AND INFORMATION:

225 Evergreen Road Stipulation to Settle Assessment Appeal

Mr. Wagner explained that the Montgomery County Board of Assessment Appeals along with the school district will be lowering the assessment of 225 Evergreen Road from \$4,367,360 to \$3,762,000 this year and then in 2024 from \$3,762,000 to \$3,017,500. This will cause a loss in tax revenue.

OLD BUSINESS: NONE

SUBDIVISION AND LAND DEVELOPMENT: NONE

NEW BUSINESS:

Officer Scott Burnick request for reimbursement for tuition and books St. Joseph University for \$5,555.64.

Commissioner Mohollen pointed out that this is covered in the Union contract, so the Township is required to approve the request.

Commissioner Mohollen made a motion to approve Officer Scott Burnick's request for reimbursement for tuition and books for St. Joseph's University for \$5,555.64. Commissioner McGroarty seconded the motion, and it was unanimously approved. The vote was 5-0 in favor.

Sergeant Weidenhammer request for reimbursement for tuition and books St. Joseph University for \$5,776.37.

Commissioner Lopez made a motion to approve Sergeant Weidenhammer's request for reimbursement for tuition and books for St. Joseph's University for \$5,776.37. Commissioner Swavely seconded the motion, and it was unanimously approved. The vote was 5-0 in favor.

Consideration to prepare a contract with MG Architects of Wyomissing for \$243,740.00

Commissioner Lopez opened the floor for public comments and questions.

Tom Troutman 2469 E. High St inquired how the architects could provide a price if the Township does not own the building yet. Mr. Wagner explained that MG Architects, along with the other architects who provided proposals, toured the entire building with our consultant Chris

Caggiano before providing a proposal. Commissioner McGroarty further explained that the Infrastructure Committee along with Mr. Caggiano met with four (4) architectural firms and the conclusion was that MG Architects was more than capable of managing the project and the cost associated was advantageous to the Township. As a side note, all the architectural firms were asked how much they estimate the cost per square foot to renovate this type of building. The Infrastructure Committee understands that the ranges they receive are as accurate as they can get. Even at the high end, the estimates would still put the renovations within the budget. Mr. Caggiano added that a design contingency has been included that will be controlled by the Township regarding where and how the money gets spent. There is also a construction contingency that covers things that may come up once renovations begin. Commissioner McGroarty noted that for those reasons, the Infrastructure Committee is comfortable moving forward with the project. Mr. Ottaviano explained that the Township will not enter into any contracts with anyone until the building has been obtained.

Commissioner Mohollen made a motion for consideration to prepare a contract with MG Architects of Wyomissing for \$243,740.00. Commissioner McGroarty seconded the motion, and it was unanimously approved. The vote was 5-0 in favor.

RESOLUTIONS AND ORDINANCES:

Resolution 1318-23 authorizing the condemnation by right of eminent domain of the property located at 1963 E. High Street.

Commissioner Lopez explained that the company that owns 1963 E. High Street recommended that the Township obtain the building by way of eminent domain, despite the Township's preference to come to an agreement. The building remains vacant, and the hardships related to the current building are ever present. Commissioner Lopez further explained that building on the property at the intersection of High Street and Pleasant View Road would go above the Township's budget due to increased costs post COVID, and they believe purchasing and renovating 1963 E. High Street would allow the Township to stay within the budget.

Commissioner McGroarty made a motion to approve Resolution 1318-23 authorizing the condemnation by right of eminent domain of the property located at 1963 E. High Street. Commissioner Mohollen seconded the motion, and it was unanimously approved. The vote was 5-0 in favor.

Motion to advertise Ordinance 364 amending the Lower Pottsgrove Township Code of Ordinances Chapter 165 Peddling & Soliciting.

Mr. Wagner explained that Chapter 165 is being repealed. This comes after a recent company was overly aggressive and out of compliance with their issued permit. The amended Ordinance includes eight (8) regulations of Code of Conduct and language for residents who have "No Solicitation/Peddling" posted on their door, which would leave the peddler in violation if they went on the property. If they are found guilty, they will be banned from soliciting in the Township for two (2) years. If they return in two (2) years and have a second violation, they will be banned for life. It is a stronger Ordinance that states they can only peddle Monday-Saturday from 9 A.M. to 5 P.M. and not on Federal or State holidays. Joe Zlomek asked if this would be a solution to the issues that even he got letters about. Mr. Wagner stated that Chief Bell is more comfortable with this Ordinance as it has more regulations. In cases of violations, the Township can fine the company as well as the individual. There are exemptions such as political candidates, religious groups, and charitable organizations.

Diane Ferko 22 Pebble Beach Lane pointed out that the permits are good for six (6) months. She asked if the length of time would be shortened. Mr. Wagner advised that it would not be

shortened, pointing out that our fees for Solicitation permits are one of the highest in the area which should discourage peddling. He added that the permits would be revoked if there are any violations.

Commissioner Keohane made a motion to advertise Ordinance 364 amending the Lower Pottsgrove Township Code of Ordinances Chapter 165 Peddling & Soliciting. Commissioner Mohollen seconded the motion, and it was unanimously approved. The vote was 5-0 in favor.

REVIEW OF WARRANT #933 FOR THE MONTH OF MAY 2023

Mr. Wagner announced that it should be completed this week.

COMMISSIONERS COMMENTS:

Commissioner Keohane thanked the Infrastructure Committee for their hard work regarding the Municipal Campus. He also thanked Amy Henderson and staff for organizing the summer concert series that will begin June 25 at the Sanatoga Park Bandshell.

Commissioner McGroarty congratulated Chief Bell and the Police Department on their accreditation. He also congratulated Joe Zlomek on his upcoming retirement on June 14, pointing out that he has known Joe for over thirty (30) years, and he is a commendable individual in all areas of his life.

Commissioner Mohollen also congratulated Chief Bell on the accreditation as well as a great job overall. He also congratulated Sergeant Weidenhammer on his master's degree. Commissioner Mohollen congratulated Joe Zlomek on his retirement and pointed out the tremendous job he has done for the community.

Commissioner Swavely thanked Chief Bell and the Police Department for the accreditation, said how proud he is of them and pointed out how highly it speaks of the Township. He also thanked Mr. Zlomek for everything he has done for Lower Pottsgrove and for always keeping the community well-informed.

Commissioner Lopez echoed the Commissioners' comments towards Mr. Zlomek for always doing a sterling job reporting the news. He thanked Chief Bell for all the work he and the department did and congratulated Sergeant Weidenhammer on his master's degree and Officer Burnick for his certification as a Drug Recognition Expert. Commissioner Lopez announced that the Civil Service Commission went to a training on May 23 to update all the information they have on Civil Service.

Mr. Wagner congratulated Joe Zlomek on his retirement. He stated that Joe is the most honest and decent reporter he has encountered in his thirty (30) years working in the field.

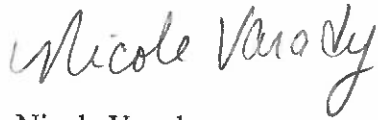
Mr. Ottaviano congratulated Joe Zlomek on his retirement. He also thanked the Fire Companies that responded to the house fire on N. Valley Road on behalf of his family.

Mr. Zlomek thanked the Commissioners stating this is the most fun Board he has covered and praised the work they do in the Township. He stated he has done his best to ensure the public gets accurate information. He said he will miss everyone, and he will be back on occasion to cover things that fit into his new page, Travels with the Post.

Commissioner Lopez announced that the June 22 Board of Commissioners meeting has been cancelled so the next meeting will be Thursday July 6, 2023, at 6:30 P.M. at the Lower Pottsgrove Township Building.

Commissioner Mohollen made a motion to adjourn the meeting. Commissioner Keohane seconded the motion. The vote was 5-0 in favor. There being no further business, the public meeting was adjourned at 7:50 P.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nicole Varady".

Nicole Varady
Township Secretary